

BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

OFFICIAL MINUTES OF THE BOARD OF SUPERVISORS MEETING HELD JULY 10, 2012

The Honorable Board of Supervisors of Lake County, California, met in regular session this 10th day of July, 2012, there being present Supervisors Jim Comstock, Jeff Smith, Denise Rushing, Anthony Farrington and Rob Brown, Interim County Administrative Officer Matt Perry, County Counsel Anita Grant and Assistant Clerk of the Board Mireya Turner.

The meeting was called to order at 9:00 a.m. by Chair Brown. Following a moment of silence, Supervisor Rushing led the salute to the flag of the United States of America.

1. **ITEM A-2 - 9:05 A.M. - APPROVAL OF CONSENT AGENDA** - On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda items C-1 through C-19, with the exception of Consent Agenda Item C-19, which will be carried over to later in the day.

Approved Minutes of the Board of Supervisors meeting held on June 26, 2012. (This item was taken up again later in the day for amendment)

Adopted Proclamation designating the week of July 16-22, 2012 as Invasive Weed Awareness Week.

Carried over from June 26, 2012 - Adopted Resolution No. 2012-77, approving Amendment to County Policy regarding reimbursement of travel expenses and use of County vehicles for volunteers (adding wording to include the Office of the District Attorney, including the Victim-Witness Division).

Adopted Resolution No. 2012-78, accepting Official Canvass of the Presidential Primary Election held on June 5, 2012, and declaring certain County Officials duly elected; and declaring candidates for the Democratic Party County Central Committee, candidates for the Republican Party County Central Committee, and candidates for the Green Party County Counsel elected in lieu of holding an election.

(a) Approved Certification of County Elections Official of result of the canvass of the Presidential Primary Election returns; and
(b) Accepted Certification of County Elections Official of results of the write-in votes cast for qualified candidates at the June 5, 2012 Presidential Primary Election.

Approved out of state travel for Environmental Health Specialist Pheakdey Preciado to attend the National Association of County and County Health Officials and Food and Drug Administration Grantee Conference from August 20-24, 2012 in Washington, DC.

Adopted Resolution No. 2012-79, approving Environmental Health to apply for a grant through the Food and Drug Administration (FDA), Office of Regulatory Affairs (ORA), Division of Federal-State Relations (DFSR), and the Center for Food Safety and Applied Nutrition (CFSAN).

Adopted Resolution No. 2012-80, approving the 2012-13 Public Health Emergency Preparedness, State General Fund (GF) Pandemic Influenza and HHS Hospital Preparedness Program (HPP), and Authorize the Board Chair to Sign the Non-Supplantation Certification.

Adopted Resolution No. 2012-81, amending Resolution No. 2012-71 establishing position allocations for Fiscal Year 2012-2013 (correcting typographical errors).

Approved renewal for the CSAC-EIA group and supplemental life insurance plans through June 30, 2014 (at the current rate), per the recommendation of the Group Insurance Committee, and authorized the Chair to sign the Renewal Confirmation.

Approved Late Travel Claims of Mental Health Specialist Allison Hillix, Substance Abuse Counselors Robyn Rosin, Selena Jackson and Terrance Rooney, Client Support Assistant Harold LaBonte, Substance Abuse Compliance Monitor Anna Tyrell and Senior Mental Health Specialist Jacqueline Smythe, for a total amount of \$432,211, as recommended by Mental Health Director's memorandum dated June 26, 2012.

Approved Agreement between the County of Lake and Mendo-Lake Alternative Services, for FY 2012-13 alternative sentencing service, in the amount of \$39,000, and authorized the Chair to sign.

Adopted Resolution No. 2012-82, approving application for funding from the California Department of Resources Recycling and Recovery (CalRecycle) for the Used Oil Payment Program (OPP3).

Approved Agreement between the County of Lake and Teichert Construction, for the donation and delivery of approximately 900 cubic yards of asphalt grindings to the Lower Lake Road Yard, and authorized the Chair to sign.

Approved Plans and Specifications for Riviera Heights CSA Slurry Seal and Improvements in Lake County (Bid No. 12-16), and authorized the Public Works Director/Assistant Purchasing Agent to advertise for bids.

Approved participation in the Northern California Regional Partnership in applying for a federal grant issued by the United States Department of Health and Human Services Administration for Children and Families, (to implement expanded services to families affected by substance abuse and involved with the Child Welfare Services System), and authorized the Social Services Director to execute and submit any documents necessary for the grant application.

Approved Fourth Amendment to Agreement between the County of Lake and Industrial Employers and Distributors Association (IEDA) for Public Authority Labor Negotiations Consultant services (extending term of contract through June 30, 2013), and authorized the Chair to sign.

Approved Annual Renewal of Veterans Subvention Program Contract and Medi-Cal Cost Avoidance Program Certificate, and authorized the Chair to sign.

Consent Agenda Item C-19 - Approve job description for extra-help Mussel Decontamination Station Worker and establish salary at grade A12 - This item was pulled from the Consent Agenda and carried over to later in the day.

2. **ITEM A-4 - Current Construction Projects - Contract Change Orders:**

Change Order #12 - Middletown Senior Center and Library - This change order covers the following nine items: add six days to contract working days, credit for Knox Box, power circuits for door openers, additional lumber for skylights, credit for cast iron pipe, electrical outlet for service vehicle, credit for deleting conduits and receptacles, relocate plumbing and add additional insulation.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JULY 10, 2012

Deputy County Administrative Officer - Special Projects Eric Seely presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes) approved Change Order #12 - Middletown Senior Center and Library, for an increase of \$3,232, RE West Builders, Inc., and authorized the Chair to sign.

3. **ITEM A-11 - Consideration of proposed Amendment to Agreement between the County of Lake and Kappe and Du Architects for the Middletown Senior Center and Middletown Library** - Deputy County Administrative Officer - Special Projects Eric Seely presented the staff report.

On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Amendment to Agreement between the County of Lake and Kappe and Du Architects for the Middletown Senior Center and Middletown Library, for an amount not to exceed \$25,000, and authorized the Chair to sign.

PUBLIC INPUT - Paul Kolb spoke regarding medicinal marijuana.

Cindy Ustrud invited the Board to participate in the upcoming Grillin' on the Green Fundraiser.

4. **ITEM A-5 - 9:10 A.M. - Presentation of Proclamation designating the week of July 16-22, 2012 as Invasive Weed Awareness Week** - Supervisor Farrington read the Proclamation into the record and presented it to Agricultural Commissioner Steve Hajik, who spoke.

5. **ITEM A-6 - 9:15 A.M. - Presentation of Clear Lake Advisory Committee Quarterly Report** - At the request of the Clear Lake Advisory Committee, this item was pulled from the agenda.

6. **ITEM A-10 - (a) Consideration of proposed Amendment to Resolution establishing salaries and fringe benefits for Management employees; and (b) Consideration of clarification of at-will status for Peace Officer Management employees** - Interim County Administrative Officer Matt Perry presented the staff report.

Chair Brown asked if anyone was present wishing to speak and the following people spoke: Greg Scott and Bob Chalk. No one else was present wishing to speak and the public input portion of this item was closed.

(a) There was Board consensus to appoint Supervisors Rushing and Brown to meet with staff regarding the proposed amendment.

(b) On motion of Supervisor Rushing and by vote of the Board (5 ayes), clarified at-will status for Peace Officer Management employees and directed staff to prepare the necessary policy document describing the hearing process for at-will peace officer management employees.

7. **ITEM A-15 - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of request to purchase one (1) 2012 Ford F-250 4x4 crew cab pickup** - Captain Chris Macedo presented the staff report.

(a) On motion of Supervisor Comstock and by vote of the Board (5 ayes), waived the formal bidding process and made the determination that competitive bidding would produce no economic benefit to the County.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the purchase of one (1) 2012 Ford F-250 4x4 crew cab pickup, Downtown Ford, in the amount of \$28,637.14, and authorized the Sheriff/Asst. Purchasing Agent to issue a purchase order.

8. **ITEM A-13 - (a) Consideration of request to waive the formal bidding process and make a determination that competitive bidding would produce no economic benefit to the County; and (b) Consideration of proposed Agreement between the County of Lake and SHN Engineers & Geologists, Inc. to provide monitoring and reporting services for Eastlake Landfill** - Public Services Director Caroline Chavez presented the staff report.

(a) On motion of Supervisor Smith and by vote of the Board (5 ayes), waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County.

(b) On motion of Supervisor Smith and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and SHN Engineers & Geologists, Inc. to provide monitoring and reporting services for Eastlake Landfill, in the amount of \$18,000, and authorized the Chair to sign.

The Board of Supervisors adjourned and convened as the Lake County Sanitation District Board of Directors.

9. **ITEM A-12 - (a) Consideration of request for partial waiver of Capacity Expansion Fee and System Capacity Fee, property located at 3725 Lincoln Avenue, Clearlake (APN 039-454-50 - Jane Thom); and (b) Consideration of request to authorize department to accept payment plan for the balance** - Special Districts Administrator Mark Dellinger and Fiscal Officer Jan Coppinger were present.

Mr. Dellinger presented the staff report.

(a) On motion of Director Smith and by vote of the Board (5 ayes), approved the waiver of the Capacity Expansion Fee, in the amount of \$4,791.12.

(b) On motion of Director Smith and by vote of the Board (5 ayes), authorized the department to accept a payment plan for the balance.

The Lake County Sanitation District Board of Directors adjourned and reconvened as the Board of Supervisors.

10. **ITEM A-7 - 10:00 A.M. - (a) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Transportation Sales Tax Measure; (b) Consideration of draft expenditure plans for various funding amounts generated by a Countywide Lake Program Sales Tax Measure; and (c) Consideration of proposed Resolutions authorizing Countywide Sales Tax Measures for Transportation and/or Lake Programs** - Public Works Director Scott DeLeon, Assistant Public Works Director Lars Ewing and Deputy County Administrative Officer - Economic Development Debra Sommerfield were present.

Mr. De Leon and Mr. Ewing presented the staff report.

Chair Brown asked if anyone was present wishing to speak and City of Lakeport Manager Margaret Silveira spoke.

This item was continued to July 18, 2012, at 8:00 a.m. to allow for input from the Cities of Clearlake and Lakeport.

OFFICIAL MINUTES OF THE LAKE COUNTY BOARD OF SUPERVISORS MEETING HELD JULY 10, 2012

BACK TO ITEM A-2 - 9:05 A.M. - Consent Agenda Item C-19 - Approve job description for extra-help Mussel Decontamination Station Worker and establish salary at grade A12 - Public Works Director Scott DeLeon and Assistant Public Works Director Lars Ewing presented the staff report.

On motion of Supervisor Rushing and by vote of the Board (5 ayes), approved the job description for extra-help Mussel Decontamination Station Worker and establish salary at grade A12.

The Board of Supervisors adjourned and convened as the Lake County Watershed Protection District Board of Directors.

11. ITEM A-14 - Consideration of proposed Agreement between the Lake County Watershed Protection District and GHD Inc., for professional environmental services in the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project area - Water Resources Director Scott DeLeon presented the staff report.

On motion of Director Rushing and by vote of the Board (5 ayes), waived the formal bidding process and made a determination that competitive bidding would produce no economic benefit to the County.

On motion of Director Rushing and by vote of the Board (5 ayes), approved the Agreement between the Lake County Watershed Protection District and GHD Inc., for professional environmental services in the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project area, in the amount of \$28,300, and authorized the Chair to sign.

The Lake County Watershed Protection District Board of Directors adjourned and reconvened as the Board of Supervisors.

After a brief recess, the Board reconvened into Regular Session at 11:50 a.m.

12. ITEM A-8 - 10:45 A.M. - Consideration of proposed Agreements between the County of Lake and Middletown Towing, Kelseyville Auto Salvage and Last Mile Auto Dismantlers for the removal of abandoned vehicles - Community Development Director Rick Coel presented the staff report.

(a) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Middletown Towing, for abandoned vehicle towing and disposal services, including recreational vehicle tows and disposals, and authorized the Chair to sign.

(b) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Kelseyville Auto Salvage, for abandoned vehicle towing and disposal services, and authorized the Chair to sign.

(c) On motion of Supervisor Comstock and by vote of the Board (5 ayes), approved the Agreement between the County of Lake and Last Mile Auto Dismantlers, for abandoned vehicle towing and disposal services, and authorize the Chair to sign.

BACK TO ITEM A-2 - 9:05 A.M. - Consent Agenda Item C-1 - Approve Minutes of the Board of Supervisors meeting held on June 26, 2012 - On motion of Supervisor Smith and by vote of the Board (5 ayes), took up the Consent Agenda again.

Supervisor Rushing made an amendment to the Minutes.

On motion of Supervisor Smith and by vote of the Board (5 ayes), approved Consent Agenda Items C-1 through C-19, as amended.

13. ITEM A-16 - CLOSED SESSION - 1. Conference with Labor Negotiator: (a) County Negotiators: A. Grant, L. Guintivano, M. Perry and J. Hammond; and (b) Employee Organization: DDAA 2. Employee Disciplinary Appeal ED 2012-05 3. Conference with Legal Counsel: Existing Litigation pursuant to Government Code Sec. 54956.9 (a): EEOC Complaints of F. Rivero and M. Morshed - Chair Brown announced the Board would now go into Closed Session for the reasons stated on the agenda.

The Board reconvened into Regular Session with no action taken at 12:52 p.m.

There being no further business, the Board of Supervisors adjourned at 12:52 p.m.

MATT PERRY
Clerk of the Board

Chair - Lake County Board of Supervisors

By: _____
Mireya G. Turner
Assistant Clerk of the Board